

From: D C
Sent: Thursday, March 26, 2015 11:48 PM
To: WorldClassPatentQuality
Subject: Improving Patent Quality

Hello,

I am unable to attend the summit on patent quality but would like to provide at least one idea that I have not yet seen be considered:

Expand the pool of candidates for internal positions that are currently only offered to existing USPTO employees such as the Supervisory Patent Examiner position.

I see that many of the top ranks of the Office are currently filled by those with a wide range of experience gathered from working outside of the Office. Just to name two examples: current Director Ms. Michelle Lee and new Deputy Director Russell Slifer all come to the office with experience in litigation, prosecution, and as counsels to well-known companies. I do not think it is any coincidence that a new infusion of ideas (such as the Patent Summit) followed the hiring of these well-qualified individuals. They, of course, are not alone. With them are people who have spent many years working at the Office - Ms. Valencia Martin-Wallace (22 years at the Office) and Ms. Peggy Focarino (34 years!) - and this combination of experience and views is essential in providing new ideas and constant improvement to the Office.

But this is a top-down approach where the new ideas come from the top and are disseminated down the patent examiner corps. I suggest that the same approach be followed when hiring the middle management. If the Directors, like Ms. Lee or Mr. Slifer, are the generals, the SPEs and center directors, are their captains who work every day with the examining corps. I'm not certain but I'd guess many if not all SPEs (and possibly center directors), quality assurance specialists, have started as patent examiners and worked their way up. This is necessary and useful but, limiting.

Why are these positions limited to only those who currently work at the Office (generally, promoted primary examiners)? I believe incorporating those with outside experience will have the same benefits that we're seeing in the hiring of the new Director - fresh ideas new perspectives, and, most importantly, receptive to change. Hiring, for example, attorneys (perhaps with Office experience), would be one example. Having a management corps at the lower levels that share the same variety of experiences and perspectives seen at the highest ranks of the Office would allow the ideas to come from all levels of Office, rather than just from the top.

I left the Office 2.5 years ago to work at a law firm. In that short time, I've had experience in various aspects of IP including litigation, prosecution, and transactional work. I would be excited to bring that breadth of experience and new perspective back to the Office to help with new ideas to engage and teach patent examiners. Speaking from experience, patent examiners are working with a very narrow focus on meeting

their counts - but an appreciation of the importance of their role in creating a record and issuing strong, galvanized patents would improve quality by broadening their perspective. An understanding of *why* things need to be done will lead to an improvement in *how* they are done.

I strongly urge consideration of this idea as another means for improving patent quality at all levels of examination.